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ATTORNEY DOCKET NO. 10004039-1

RCE
2126
JFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Brian Frazier et al.

Serial No.: 9/825,654

Examiner: Courtenay

Filing Date: April 4, 2001

Group Art Unit: 2126

Title: MULTI-LAYER SOFTWARE ARCHITECTURE FOR HARDWARE CONTROL

COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria VA 22313-1450

REQUEST FOR CONTINUED EXAMINATION (RCE) 37 CFR 1.114

Subsection (b) of 35 U.S.C. 132, effective on May 29, 2000, provides for continued examination of an utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Sir:

This is a Request for Continued Examination (RCE) under CFR 1.114 of the above-identified application.

NOTE: 37 CFR 1.114 is effective on May 20, 2000. If the above application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under CFR 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 off. Gaz. Pat. Office 47 (Apr. 11, 2000), which Established RCE practice.

Submission under 37 CFR 1.114

☐ Previously submitted:

- ☐ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on
(Any unentered amendment(s) referred to above will be entered).
- ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on
- ☐ Other:

☒ Enclosed:

- ☒ Amendment/Reply
- ☐ Affidavit(s)/Declarations(s)
- ☐ Information Disclosure Statement (IDS)
- ☐ Other:

Miscellaneous

- ☐ Suspension of action is requested under 37 CFR 1.103(c) for a period of _____ months.
The fee for this Suspension is (37 CFR 1.17(i)) **\$130.00**.
- ☐ Other:

05/16/2005 AWONDAF1 00000021 501078 09825654

01 FC:1801 790.00 DA

RCE filing fee **\$790.00**

- ☐ A Petition for Extension of Time
- | | | |
|--------------------------|--------------|-----------|
| <input type="checkbox"/> | One month | \$120.00 |
| <input type="checkbox"/> | Two months | \$450.00 |
| <input type="checkbox"/> | Three months | \$1020.00 |
| <input type="checkbox"/> | Four months | \$1590.00 |

Please charge to Deposit Account **50-1078** the sum of \$790.00 . At any time during the pendency of this application, please charge any fees required or credit any overpayment to Deposit Account **50-1078** pursuant to 37 CFR 1.25.

A duplicate copy of this transmittal letter is enclosed.

- ☒ I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

Date of Deposit: 5-10-05

OR

- ☐ I hereby certify that this paper is being facsimile transmitted to the Commissioner for Patents on the date shown below.

Date of Facsimile:

Typed Name: Paul H. Horstmann

Signature: Paul H. Horstmann

Respectfully submitted,

Brian Frazier et al.

By

Paul H. Horstmann
Paul H. Horstmann
Attorney/Agent for Applicant(s)

Reg. No. 36,167

Date: 5-10-05

Telephone No. 310-376-0218



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application) PATENT APPLICATION
Inventors: Brian Frazier et al.)
Serial No.: 09/825,654) Art Unit: 2126
Filed: 4-4-2001) Examiner: Courtenay
Title: MULTI-LAYER SOFTWARE)
ARCHITECTURE FOR HARDWARE CONTROL)

REQUEST FOR CONTINUED EXAMINATION
UNDER 37 C.F.R. §1.114(a) & AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Final Office Action mailed 2-10-05, applicants respectfully request continued examination of the above-identified application in view of the following amendments and remarks under 37 C.F.R. §1.114 (a). The Patent Office is authorized to charge Deposit Account 50-1078 the fee set forth in 37 C.F.R. §1.17 (e). The authorization is also given on the accompanying transmittal letter for this amendment (a duplicate copy of which is enclosed for deposit charging purposes).